



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

TJR

Docket No: 2150-99

31 August 1999

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, United States Code, Section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 24 August 1999. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record, and applicable statutes, regulations, and policies.

After careful and conscientious consideration of the entire record, the Board found the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found you enlisted in the Navy on 7 August 1963 at the age of 17. Approximately six months later, on 7 February 1964, you received nonjudicial punishment (NJP) for wrongful appropriation and were confined on bread and water for three days. On 31 July 1964 you received NJP for assault. The punishment imposed was forfeitures totalling \$30 and confinement on bread and water for three days. On 4 November 1964 you received NJP for disrespect. The punishment imposed was restriction for 15 days and forfeitures totalling \$15. On 1 and 17 December 1964 you received NJP for absence from your appointed place of duty and failure to go to your appointed place of duty.

Your record reflects that on 30 September 1965 you received NJP for breach of peace and assault. The punishment imposed was restriction for 15 days, extra duty for 10 days, and forfeitures totalling \$35. On 22 July 1966 you received your seventh NJP for failure to go to your appointed place of duty. The punishment imposed was restriction for 10 days and forfeitures totalling \$20.

On 20 September 1966, upon completion of your enlistment, you were released from active duty. Subsequently, you received a general discharge upon completion of your six year military obligation.

Character of service is based, in part, on conduct and overall trait averages which are computed from marks assigned during periodic evaluations. Your conduct average was 2.73. An average mark of 3.0 in conduct was required at the time of your separation for a fully honorable characterization of service.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth and immaturity, and your contention that you would like your discharge upgraded. However, the Board concluded these factors were not sufficient to warrant recharacterization of your discharge given the serious nature of your frequent misconduct which resulted in seven NJPs, and since your conduct average was insufficiently high to warrant an honorable characterization of service. Given all the circumstances of your case, the Board concluded your discharge was proper and no change is warranted. Accordingly, your application has been denied.

The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director